

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

NEW ENGLAND CARPENTERS HEALTH  
BENEFITS FUND, PIRELLI ARMSTRONG  
RETIREE MEDICAL BENEFITS TRUST;  
TEAMSTERS HEALTH & WELFARE FUND  
OF PHILADELPHIA AND VICINITY;  
PHILADELPHIA FEDERATION OF  
TEACHERS HEALTH AND WELFARE  
FUND; DISTRICT COUNCIL 37, AFSCME -  
HEALTH & SECURITY PLAN; JUNE  
SWAN; MAUREEN COWIE and BERNARD  
GORTER,

C.A. No. 1:05-CV-11148-PBS

Plaintiffs,

v.

FIRST TABDANK, INC., a Missouri  
corporation; and McKESSON  
CORPORATION, a Delaware corporation,

Defendants.

**DECLARATION OF STEVE W. BERMAN IN SUPPORT OF PLAINTIFFS'  
MOTION TO COMPEL MCKESSON'S 30(B)(6) WITNESS  
AND TO PROVIDE MORE SPECIFIC RESPONSES TO  
PLAINTIFFS' THIRD SET OF INTERROGATORIES**

I, Steve W. Berman, hereby declare that:

1. I am a partner of Hagens Berman Sobol Shapiro LLP, resident in its Seattle, Washington, office, and I am one of counsel for the plaintiffs in the above-captioned matter. I submit this declaration in support of Plaintiffs' Motion to Compel.

2. Attached to my declaration as Exhibit 1 is a copy of Plaintiffs' amended deposition notice, dated April 9, 2007.

3. Attached to my declaration as Exhibit 2 is a copy of the chart presented by McKesson at Ms. Glasco's deposition.

4. Attached to my declaration as Exhibit 3 is a copy of the transcript of the May 8, 2007 deposition of Michelle Glasco, McKesson's 30(b)(6) designee.

5. Attached to my declaration as Exhibit 4 is a copy of the May 10 letter from our firm to Tiffany Cheung, McKesson counsel, requesting that McKesson provide another, more knowledgeable 30(b)(6) witness within 10 days and that McKesson pay Plaintiffs the costs and fees associated with the Glasco deposition. McKesson did not respond to our letter.

6. The parties met and conferred on May 4 regarding the responses to their respective contention interrogatories. McKesson amended some of its responses to address Plaintiffs' concerns but refused to address Plaintiffs' principle objections, which are outlined in this brief.

I certify under penalty of perjury that the foregoing is true and correct.

Executed this 15<sup>th</sup> day of May 2007.

/s/ Steve W. Berman

STEVE W. BERMAN

**CERTIFICATE OF SERVICE**

I, Steve W. Berman, hereby certify that a true and correct copy of the above document was served on the attorney of record for each party via the Court's electronic filing system this 15<sup>th</sup> day of May, 2007.

By \_\_\_\_\_  
/s/ Steve W. Berman  
Steve W. Berman  
**HAGENS BERMAN SOBOL SHAPIRO LLP**  
1301 Fifth Avenue, Suite 2900  
Seattle, WA 98101  
(206) 623-7292

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

C.A. No. 1:05-CV-11148-PBS

NEW ENGLAND CARPENTERS HEALTH  
BENEFITS FUND, PIRELLI ARMSTRONG  
RETIREE MEDICAL BENEFITS TRUST;  
TEAMSTERS HEALTH & WELFARE FUND  
OF PHILADELPHIA AND VICINITY;  
PHILADELPHIA FEDERATION OF  
TEACHERS HEALTH AND WELFARE  
FUND; DISTRICT COUNCIL 37, AFSCME -  
HEALTH & SECURITY PLAN; JUNE  
SWAN; MAUREEN COWIE and BERNARD  
GORTER,

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri  
corporation; and McKESSON  
CORPORATION, a Delaware corporation,

Defendants.

**PLAINTIFFS' AMENDED NOTICE OF DEPOSITION OF  
MCKESSON'S 30(b)(6) WITNESS**

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 30(b)(6), the undersigned counsel will take the deposition of the representative of McKesson Corporation (hereafter "McKesson" or "You" or "Your") who is knowledgeable about the custodians of record of documents You have produced or were requested to produce in this litigation, including their titles and what department(s) or division(s) they belonged to from 2000 through the present; whether they are still employed by McKesson and if not, their last known address; how the production of their records is organized, including which of their files were searched to ensure that all responsive, non-privileged documents were produced; and how, if at all, the

**Exhibit 1**

organization of Your production by custodian is reflected in the source log You have provided in this litigation.

The deposition will be taken on May 8, 2007, beginning at 9:30 a.m. in San Francisco at a location to be determined. The deposition will be recorded by stenographic and/or sound and visual means and will take place on the date and time indicated and at a location to be determined.

DATED: April 9, 2007

By /s/ Steve W. Berman

Steve W. Berman  
Sean R. Matt  
Barbara A. Mahoney  
Hagens Berman Sobol Shapiro LLP  
1301 Fifth Avenue, Suite 2900  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

Thomas M. Sobol (BBO #471770)  
Ed Notargiacomo (BBO #567636)  
Hagens Berman Sobol Shapiro LLP  
One Main Street, 4th Floor  
Cambridge, MA 02142  
Telephone: (617) 482-3700  
Facsimile: (617) 482-3003

Elizabeth Fegan  
Hagens Berman Sobol Shapiro LLP  
60 W. Randolph Street, Suite 200  
Chicago, IL 60601  
Telephone: (312) 762-9235  
Facsimile: (312) 762-9286

Jeffrey Kodroff  
John Macoretta  
Spector, Roseman & Kodroff, P.C.  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103  
Telephone: (215) 496-0300  
Facsimile: (215) 496-6611

Marc H. Edelson  
Hoffman & Edelson  
45 West Court Street  
Doylestown, PA 18901  
Telephone: (215) 230-8043  
Facsimile: (215) 230-8735

Kenneth A. Wexler  
Jennifer Fountain Connolly  
Wexler Toriseva Wallace LLP  
One North LaSalle Street, Suite 2000  
Chicago, IL 60602  
Telephone: (312) 346-2222  
Facsimile: (312) 346-0022

George E. Barrett  
Edmund L. Carey, Jr.  
Barret, Johnston & Parsley  
217 Second Avenue, North  
Nashville, TN 37201  
Telephone: (615) 244-2202  
Facsimile: (615) 252-3798

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on April 9, 2007.

/s/ Steve W. Berman  
Steve W. Berman

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
Alfaro, Adolfo R.	Sr Tech Financial Analyst/Pricing Profitability 2	2/18/2004	Senior Account Coordinator (3/05) Account Coordinator (11/04)	MCKAWP 0052350* MCKAWP 0052352*	MCKAWP 0052348 – MCKAWP 0052352*	Alfaro hard drive
Amerine, Dolores I	Customer Service Rep 4/CC Customer Relations 2 Account Manager, CC – Customer Care (4/00)	5/5/1997	Account Manager (9/03) Senior Account Rep (4/02) Account Coordinator (4/01) CSR/F (3/00)	MCKAWP 0052443 - 0052444	MCKAWP 0052443 - 0052444	Amerine hard drive
Bishop, Michael		4/2/2000		MCKAWP 0052436*	MCKAWP 0052351* MCKAWP 0052353 – 0052361* MCKAWP 0052365*	Bishop hard drive
Bissler, Edward C	VP Natl Accts/National Accounts (5/98)	6/17/1991		MCKAWP 0052451 - 0056575		Bissler hard drive

\* - Documents from Organizational Charts; † - Documents produced in other Litigations

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
Bonner, John D	Director, Brand Rx Prod. Mgmt./Investment Purchasing- Rx Merchandising (8/00)	5/1/1984			MCKAWP 0075974 - 0076872 MCKAWP 0076873 - 0076953	Bonner hard drive Server network
Castaldo, Ronald T	Promo Buying Mgr/Prod Management – Purchasing (2000)	4/1/96			MCKAWP 0049364 - 0052135 MCKAWP 0052265 – 0052266* MCKAWP 0076954 - 0076980 MCKAWP 0092036 - 0093733	Castaldo hard drive Server network drive Castaldo hard copy documents
Castillo, Pia H	Data Management Analyst 2/Procurement Systems 2 (2004)	4/10/1989	Lead Clerk (2000)		MCKAWP 0029963 - 0035159 MCKAWP 0052180 – 0052181* MCKAWP 0052195 – 0052198* MCKAWP 0085228 - 0085340	Castillo hard drive Castillo hard copy documents
Catton, Rex M	VP Nati Accts/National Accounts	1/25/1987	Nati Acct Rep - East (7/00)		MCKAWP 0075719 - 0075765	Catton hard drive
Cullenward, Eric A.	Director Procurement Systems/Inventory Mgmt (2002)	6/1/1991	Manager Procurement Systems/Inventory Management (1999)		MCKAWP 0035160 - 0035415 MCKAWP 0052136 –	Cullenward hard drive

\* - Documents from Organizational Charts; † - Documents produced in other Litigations

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
Dela Cruz, Priscila	Data Integrity Associate/Procurement Systems 2 (2004)	10/20/1997	Service Clerk Lead (2000)		MCKAWP 0052199 - 0052210*	
Dolan, Anthony F	VP Natl Accts/National Accounts (1998)	8/26/1998			MCKAWP 0073837 - 0074076	DeLaCruz hard drive
Eckel, Michael R	VP, Business Development/Access Health Operations (2007)	4/1/1996	VP Strategic Solutions/National Accounts (2003)		MCKAWP 0052341 - 0052347*	
Fallon, June M.	VP, Cust Program Development/Franchise Management (2007)	2/1/2002	VP National Accounts/National Accounts (2000)		MCKAWP 0052369 - 0052377*	
Figueroa, John	President, US Pharma Dist./U.S. Pharmaceutical (2006)	8/11/1997	President of National Accounts, Pharma (2003)		MCKAWP 0052400 - 0052405*	
Fragie, Jack	EVP, Retail National Accounts/Pharmaceutical National Accounts	3/22/1982	Sr. Vice President National Accounts, SW Region (2000)		MCKAWP 0079481 - 0079483	
			Sr. Vice President, National Accounts/Pharmaceutical National		MCKAWP 0095509 - 0095514	Eckel hard drive
					MCKAWP 0052366 - 0052368*	
					MCKAWP 0052410* - 0080597	Fallon hard drive
					MCKAWP 0084695 - 0085200	Figueroa hard drive
					MCKAWP 0080598 - 0080626	Fragie hard drive

\* - Documents from Organizational Charts; † - Documents produced in other Litigations

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
			Accounts (2000)			
			OTP Master Data Team Lead/Pharmaceutical Group (2005)		MCKAWP 0081166 - 0083440	Friedman hard drive
Friedman, Leslie R	Process Manager/Process Management (2006)	8/13/1990	Purchasing Systems Manager/Inventory Management (2000)		MCKAWP 0093734 - 0093870	Friedman hard copy documents
Gabaeff, Rose	Public Affairs, Representative, Public Affairs (5/05)	5/23/2005		36 Cervantes Blvd No. 6 San Francisco, CA 94123 DOT 10/06	MCKAWP 0052396*	Gabaeff hard drive
Gamlin, Ryan	Financial Analyst, Pricing	5/16/2005			MCKAWP 0052395*	Gamlin hard drive
Harber, Stacey L.	Contract Administration Manager/Prod & Services- Access Health (2003)	2/22/2003	Project Manager 1 (11/02) Credit Manager 2 (7/01) ArLink Manager (5/18/2001)		MCKAWP 0075766 - 0075936	Harber hard copy documents
Harbour, Sheri	Senior Account Manager/Customer Care - Customer Relations (8/2003)	6/17/1996		Work: 17 Hughes Irvine, CA 92618	MCKAWP 0052449 - 0052450*	Harbour hard drive
Herzfeld, Jeff	SVP Pharmaceutical Product / Pharma Finance (1996)			Residence: 18 Corn Flower St Trabuco Canyon, CA 92679	MCKAWP 0095326 - 0095442 MCKAWP 0093871 - 0093920	Herzfeld hard drive Herzfeld hard copy documents

\* - Documents from Organizational Charts; † - Documents produced in other Litigations

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
James, Robert V.	VP, Branded Rx/Finance Investment Purchasing (2002)	7/26/1999	Director Brand Rx/Product Management (1999)	Natl Account Manager/ Customer Care – Customer Relations (3/04)  Cust Serv Manager 3, Client Service Rep 3 (2/04)	MCKAWP 0052182 – 0052183* MCKAWP 0052193 – 0052194* MCKAWP 0062271 - 0071594  MCKAWP 0095443 - 0095458 MCKAWP 0080627 - 0080701 MCKAWP 0093921 - 0093942	James hard drive Server network drive James hard copy documents
Jeffries, Dan Neil (2004)	Senior Account Manager/Customer Care - Customer Relations (9/04)	2/3/1997	National Acct Manager (9/03)  Account manager(1/1/02)  Account Manager II(8/00)	MCKAWP 0052445 – 0052448*	Jeffries hard drive	Jeffries hard drive
Jones, Robert T (2000)	Director, E-Commerce Prod Mgmt/Marketing-E-Commerce 1	11/9/1996		MCKAWP 0052420 – 0052428* MCKAWP 0052435* MCKAWP 0052439*		Jones hard drive Jones hard copy documents

Tyler

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
Kelley, Sean	Analyst, Data Provis. & Anal./Mktg Analytics and Reporting	7/18/2005			MCKAWP 0097006 - 0097107 MCKAWP 0136110 - 0140166 MCKAWP 0140314 - 0140337	MCKAWP 0083441 - 0084289 MCKAWP 0093943 - 0093949 MCKAWP 0095498 - 0095508
Legal Department	Client Services Rep 2/Customer Care-Customer Relations		Customer Service Rep4, Account Manager 2 (7/01) Account Coordinator (4/01) Account Representative (3/01) Customer Care Account Rep2 (4/00)	MCKAWP 0000001 – 0007474†		Kelley hard drive
Lindsay, Telisca (2003)				MCKAWP 0052437 – 0052438*		Lindsay hard drive
Mahbouba, Mohammed H.	Director, Analytic Services/Marketing Analytic Services (2006)	5/30/2006		MCKAWP 0097108 - 0097238		Mahbouba hard drive
Mallari, Maribel	Public Affairs Coordinator/ Public Affairs (1998)	1/13/1997		MCKAWP 0052414 – 0052419*		Mallari hard drive
Martindale, Karen	Account Manager/National Accounts (2000)	8/1/1994		MCKAWP 0052440 – 0052442*		Martindale hard drive

\* - Documents from Organizational Charts; † - Documents produced in other Litigations

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
					MCKAWP 0075598 - 0075718	
Mayorchuk, Galina (2004)	Data Management Analyst 2/Procurement Systems 2 (2004)	11/11/1991	Business System Analyst 2/Business Information Systems (2001 -2004)	Business Data Analyst/Business Information Systems (2000-2001)	MCKAWP 0052184 - 0052192* MCKAWP 0080702 - 0080972 MCKAWP 0094100 - 0095284	Mayorchuk hard drive Server network Mayorchuk hard copy documents
McAndrews, Brian (2003)	Director Public Affairs, Public Affairs (7/03)	7/14/2003			MCKAWP 0052399*	McAndrews hard drive
McKenna Jr, Edward L. (2003)	VP, Strategic Solutions/National Accounts	4/14/2003			MCKAWP 0080973 - 0081079	McKenna hard drive
Moore, Leonard C	Account Coordinator/CC Customer Relations 2	10/21/1996			MCKAWP 0081080 - 0081097	Moore hard drive
Myung, C. Lidia (2006)	Manager, Business Analysis/Marketing Analytics (2006)	3/13/2006			MCKAWP 0097239 - 0120174 MCKAWP 0126105 - 0127435 MCKAWP 0140294 - 0140313 MCKAWP 0140406 - 0140417 MCKAWP 0144775 - 0151554	Myung hard drive
Norris, Becca	Director, Strategic Solutions/ Public Affairs (2007)		Director Business Initiative/Pharma (2005) Director Strategic Solutions/Pharma (2003)		MCKAWP 0052362 - 0052364*	Norris hard drive

\* - Documents from Organizational Charts; † - Documents produced in other Litigations

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
Pang, Wai H	Data Integrity Associate/Procurement Systems 2 (1999)	11/8/1999	Staff Asst./Pricing/Stat File / NISR (2005)	MCKAWP 0085341 - 0085760	Pang hard copy documents	
Parsons, Brett S.	Director Business Intelligence/Marketing Analytic Services (2004)	3/13/2001	Senior Market Analyst RX Product Management (3/01-8/01)	MCKAWP 0120175 - 0126104 MCKAWP 0127436 - 0136109	MCKAWP 0140167 - 0140293 MCKAWP 0140338 - 0140405 MCKAWP 0140418 - 0142911	Parsons hard drive
Perez, Laura	Data Management Analyst/Procurement Systems 2	9/3/1974	BIS Analyst/Procurement Systems (4/00)	MCKAWP 0052381 - 0052386*	Perez hard drive	
Phillips, Boyd L	Sr. Dir. Process & Data Mgmt/Customer & Financial Servs Ops	10/24/1988	BPI Project Manager/ Customer & Financial Servs Ops (4/01)	MCKAWP 0052291 - 0052340*	Phillips hard drive	

\* - Documents from Organizational Charts; † - Documents produced in other Litigations

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
Ray, Darlene	Director Customer Relations/Customer Care (2003)	11/9/1996	Manager Customer Administration (11/96)		MCKAWP 0074077 - 0075597 MCKAWP 0093950 - 0094022	Ray hard drive Ray hard copy documents
Rosa, Anthony T.	Senior Manager, MHS Pricing/Pricing Profitability 6 (12/06)	7/19/2004	Manager/Pricing Profitability (2005)		MCKAWP 0052378* MCKAWP 0052388 - 0052391* MCKAWP 0052397 - 0052398*	Rosa hard drive
Tate, Kimber	Manager, Litigation Support Services (Corporate)/Legal (2000)	11/21/1992	Senior Account Manager (11/99)	Long Term Disability	MCKAWP 0052387* MCKAWP 0052392 - 0052394*	Tate hard drive
Terrell, Ricky N	Senior Account Manager Customer Relations 3//Customer Care	11/96	Director of Customer Relations (2/04)	4414 Carlton Drive Garland, TX 75043	MCKAWP 0052429 - 0052434* MCKAWP 0035416 - 0049363 MCKAWP 0052260* - 0052261 - 0081133 MCKAWP 0081098 - 0094099 MCKAWP 0094023 - 0094099	Terrell hard drive Thomas hard drive Server network drive Thomas hard copy documents
Thomas, Erlinda	Manager Business Information Services/Procurement Systems 2 (1995)	5/12/1970			VP National Accounts (1999)	Thompson hard drive
Thompson, Sam D	VP, Strategic Solutions/National Accounts (2001)	12/1/1999			MCKAWP 0052379 - 0052380*	Thompson hard drive

\* - Documents from Organizational Charts; † - Documents produced in other Litigations

Custodian Name	Current Title/Dept	Hire Date	Former Titles/Dept	Last Known Address (if not current employee)	Production Bates Ranges	Document Location
			Manager, Market Analytics, Generic Rx Product Management (2002)	MCKAWP 0081134 - 0081165	MCKAWP 0052406* MCKAWP 0071595 - 0072065	Torres-Morgan hard drive
Torres-Morgan, Martha	Director, Brand Rx Product Management/Investment Purchasing-Rx Merch (2003)	1/16/2000	Sr. Market Analyst, Rx Product Management (8/01)	MCKAWP 0085201 - 0085227	MCKAWP 0052407 - 0052409*	Torres-Morgan hard copy documents
Valiao, Lilibeth O	Lead Clerk/Procurement Systems 2 (7/99)			MCKAWP 0052267 - 0052290*	MCKAWP 0084290 - 0084668	Valiao hard drive
	Senior Vice President, Purchasing/Pharma Finance (2000)	10/1/1976		MCKAWP 0084669 - 0084694	Yonko hard drive Server network drive	Yonko hard drive Server network drive
Yonko, Gregory S.						

\* - Documents from Organizational Charts; † - Documents produced in other Litigations

5-8-07 MICHELLE GLASCO.txt

1 UNI TED STATES DI STRI CT COURT  
2 DI STRI CT OF MASSACHUSETTS  
3 ---oo---  
4 NEW ENGLAND CARPENTERS HEALTH  
BENEFI TS FUND, et al . ,  
5 Plaintiffs,  
6 vs. No. 105-CV-11148-PBS  
7 FIRST DATA BANK, INCORPORATED AND  
8 MCKESSON CORPORATION,  
9 Defendants.  
10 \_\_\_\_\_//  
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12  
13 VI DEOTAPED DEPOSITI ON OF MICHELLE GLASCO  
14  
15  
16  
17 DATE: May 8, 2007  
18  
19 TIME: 10: 22 a. m.  
20  
21 LOCATION: Morrison & Foerster  
425 Market Street  
22 San Franci sco, Cal i fornia 94105  
23 REPORTED BY: BRIDGET M. MATTOS  
Certi fi ed Shorthand Reporter  
24 Li cense Number 11410  
25

1

1 APPEARANCES

Page 1

**Exhibit 3**

5-8-07 MICHELLE GLASCO.txt

2

3 FOR PLAINTIFFS:

4 HAGENS, BERMAN, SOBOL, SHAPIRO, LLP

5 BY: NICK STYANT-BROWNE, Attorney at Law

6 1301 Fifth Avenue, Suite 2900

7 Seattle, Washington 98101

8 (206) 623-7292

9

10 FOR DEFENDANTS:

11 MORRISON & FOERSTER

12 BY: PAUL FLUM, Attorney at Law

13 425 Market Street

14 San Francisco, California 94105

15 (415) 268-7335

16

17 ALSO PRESENT: KIMBER TATE, McKESSON CORPORATION

18

19 THE VIDEOGRAPHER:

20 GABE ABENDROTH

21 GOLDEN GATE REPORTING

22 35 Mitchell Boulevard, Suite 8

23 San Rafael, California 94903

24 (415) 491-4611

25

2

1 I N D E X

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Page

3 EXAMINATION BY MR. STYANT-BROWNE 5, 38

4 EXAMINATION BY MR. FLUM 40

5

Page 2

5-8-07 MICHELLE GLASCO.txt

6 E X H I B I T S

7 PLAINTIFFS'	Page
8 1 Amended Notice of Taking Deposition	8
9 2 McKesson's Source Log	12
10 3 Organizational Chart	16

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1 P R O C E E D I N G S

2 THE VIDEOGRAPHER: Today's date is May 8th,

3 2007. The time on the video monitor is 10:22 a.m.

4 this is Tape Number 1, Volume Number 1, in the

10:22:44 5 deposition of Michelle Glasco in the United States

6 District Court, District of Massachusetts, in the

7 matter of New England Carpenters Health Benefits Fund,

8 et al., vs. First Data Bank, Incorporated and McKesson

5-8-07 MICHELLE GLASCO.txt

9 Corporation, Case Number 105-CV-11148-PBS.

10:23:09 10 We are at the offices of Morrison & Foerster,  
11 the address is 425 Market Street, San Francisco,  
12 California. The deposition was noticed by plaintiff  
13 attorney Nick Styant-Browne.

14 My name is Gabe Abendroth, notary public in  
10:23:27 15 the State of California, contracted by Golden Gate  
16 Reporting. Today's court reporter is Bridget Mattos,  
17 working for Golden Gate Reporting, located at 35  
18 Mitchell Drive, San Rafael, California.

19 Counsel, please voice identify yourselves and  
10:23:45 20 state whom you represent.

21 MR. STYANT-BROWNE: Nick Styant-Browne of  
22 Hagens Berman for plaintiffs.

23 MR. FLUM: Paul Flum of Morrison and  
24 Foerster, representing McKesson and the witness, and  
10:23:56 25 accompanying me is Kimber Tate of the McKesson legal

4

1 department.

2 THE VIDEOGRAPHER: Would the court report  
3 please swear in the witness.

4 (Witness sworn.)

10:24:12 5 THE WITNESS: Yes.

6 THE VIDEOGRAPHER: Counsel, please begin.

7 MICHELLE GLASCO,  
8 called as a witness by the Plaintiffs, who, having  
9 been duly sworn by me, was examined and testified as  
10 hereinafter set forth:

11 ---oo---

12 EXAMINATION BY MR. STYANT-BROWNE

Page 4

5-8-07 MICHELLE GLASCO.txt

13 MR. STYANT-BROWNE: Q. Ms. Glasco, good  
14 morning. My name is Nick Styant-Browne, I'm one of  
10: 24: 17 15 the attorneys for the plaintiffs in this case.  
16 Would you please state your full name for the  
17 record.  
18 A. Michelle Glasco.  
19 Q. Do you have a middle name?  
10: 24: 23 20 A. Michelle Eugena Glasco.  
21 Q. And your address, Ms. Glasco?  
22 A. 1915 30th Avenue, San Francisco, California  
23 94116.  
24 Q. And is that your residential address?  
10: 24: 35 25 A. Yes, it is.

5

1 Q. Okay. And do you work at corporate  
2 headquarters for McKesson?  
3 A. Yes, I do.  
4 Q. Which is One --  
10: 24: 45 5 A. Post Street, mm-hm.  
6 Q. -- Post Street.  
7 And how old are you, Ms. Glasco?  
8 A. I'm 36.  
9 Q. What's your current position with McKesson?  
10: 24: 52 10 A. Human resources manager.  
11 Q. Okay. And how long have you been in that  
12 position?  
13 A. Well, I was just promoted, so as of  
14 yesterday.  
15 Q. Not long.

5-8-07 MICHELLE GLASCO.txt

16 A. So before that I was human resources  
17 representative.

18 Q. When did you first join McKesson?

19 A. April 16th, 2001.

10:25:09 20 Q. And in what capacity?

21 A. Human resources administrative assistant.

22 Q. And can you track through for me your  
23 positions --

24 A. Sure.

10:25:19 25 Q. -- since 2001 when you joined as a human

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1 resources administrative assistant?

2 A. Sure. I was promoted to human resources  
3 coordinator the following year, I believe it was  
4 August of 2002. And then I became a human resources  
10:25:34 5 representative in December -- no, I'm sorry -- yeah,  
6 December 2003, I believe, I'm not quite sure on the  
7 month, but -- and then promoted to HR manager.

8 Q. And that was yesterday?

9 A. Yeah.

10:25:49 10 Q. So you were human resources --

11 A. Representative, yes.

12 Q. -- from 2003 through 2007?

13 A. Yes.

14 Q. And what are your duties presently as HR  
10:25:59 15 manager?

16 A. I handle any employee relations issues that  
17 come up for my client groups, as well as career  
18 development, career pathing, coaching, organizational  
19 development, answer some questions about -- if there's

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10: 26: 16 20 any kind of questions around benefits that I'm able to  
21 answer or anything like that. But most of that is  
22 outsourced, so that's general duties right there.  
23 Q. Okay. And who are your client groups?  
24 A. The IT organization for a pharmaceutical  
10: 26: 30 25 group, Six Sigma Organization, and that's it.

7

1 Q. How were your duties different when you were  
2 an HR representative?  
3 A. Actually, there is -- I just -- they've just  
4 been expanded a little bit. It's basically the same  
10: 26: 52 5 thing that I've been doing for a while now.

6 MR. STYANT-BROWNE: Could you mark that as 1,  
7 please, Bridget.

8 (Deposition Exhibit 1 marked  
9 for identification.)

10: 27: 10 MR. STYANT-BROWNE: Would you have a look at  
11 Exhibit 1, please, Ms. Glasco.

12 Q. Have you seen that before?

13 A. I have seen this before.

14 Q. Okay. Can you recollect when you first saw  
15 it?

16 A. Yesterday.

17 Q. And do you see in the third line of this  
18 notice, it states, "Who is knowledgeable about the  
19 custodians of record of documents."

10: 27: 54 20 You have produced or were requested to  
21 produce in this litigation, including their titles and  
22 what departments or divisions they belong to from 2000

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23 through the present, whether they are still employed  
24 by McKesson, and if not their last known address, how  
10:28:12 25 the production of their records is organized,

8

1 including which of their files were searched to ensure  
2 that all responsive nonprivileged documents were  
3 produced, and how, if at all, the organization of your  
4 production by custodian is reflected in the source log  
10:28:29 5 you have provided in this litigation.

6 Do you see that?

7 A. Yes.

8 Q. And is that your understanding of what you'll  
9 be questioned about today?

10:28:37 10 A. Yes.

11 Q. And was yesterday the first time that you met  
12 with any attorneys to prepare for your deposition?

13 A. Yes.

14 Q. Okay. And who did you meet yesterday?

10:28:57 15 A. With Kimbi and Paul.

16 Q. Okay. And did you meet here or at --

17 A. We met here.

18 Q. And how long did you meet for?

19 A. Roughly two hours.

10:29:26 20 Q. So I want to ask you some questions, first of  
21 all, about e-mails, Ms. Glasco. And, first of all,  
22 does McKesson have any policies in relation to  
23 e-mails?

24 MR. FLUM: Objection. Outside the scope of

10:29:39 25 the notice.

9

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1 You can answer.

2 THE WITNESS: I'm -- can you rephrase the  
3 question? What kind of policies are you looking for?

4 MR. STYANT-BROWNE: Q. Does McKesson have  
10:29:47 5 any policies in relation to e-mails?

6 MR. FLUM: Same objections. Vague.

7 THE WITNESS: Yeah, we -- yeah, we have  
8 policies around privacy, if that's what you're talking  
9 about.

10:29:57 10 MR. STYANT-BROWNE: Q. Tell me about those.

11 A. I couldn't speak to the exact policy, so I  
12 don't know if --

13 Q. When you speak of policies about privacy,  
14 what's your understanding of what the policy about

10:30:12 15 privacy is?

16 MR. FLUM: Objection. Outside the scope of  
17 the notice.

18 THE WITNESS: Yeah, I'm not sure. I just  
19 know I've seen something, but I couldn't tell you. I  
10:30:20 20 don't know.

21 MR. STYANT-BROWNE: Q. Have you seen any  
22 policies about the storage and retention of e-mails?

23 MR. FLUM: Same objection.

24 THE WITNESS: No.

10:30:32 25 MR. STYANT-BROWNE: Okay.

1 Q. Do you have any knowledge about any retention

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2 policies of McKesson in relation to e-mails?

3 MR. FLUM: Same objection.

4 THE WITNESS: No.

10:30:43 5 MR. STYANT-BROWNE: Q. Do you know whether  
6 or not there is a system whereby e-mails are backed  
7 up?

8 MR. FLUM: Same objection.

9 THE WITNESS: No. Backed up to a -- do I  
10:31:00 10 no -- I'm sorry, can you repeat the question?

11 MR. STYANT-BROWNE: Q. Do you know whether  
12 or not McKesson has any policies or procedures whereby  
13 e-mails are backed up?

14 MR. FLUM: Same objection. Also vague.

10:31:12 15 THE WITNESS: I don't know for sure.

16 MR. STYANT-BROWNE: Q. Do you know how long  
17 e-mails are kept for by McKesson?

18 A. No.

19 MR. FLUM: Same objection.

10:31:19 20 THE WITNESS: No.

21 MR. STYANT-BROWNE: Q. What was your  
22 involvement in obtaining the various documents which  
23 are referred to in McKesson's source log?

24 A. I didn't have anything to do with obtaining  
10:31:55 25 the documents. The only thing that I did was run a

11

1 report that showed the current titles and departments  
2 and hire dates for the employees.

3 Q. Okay. And I take it you did that --

4 A. But I did not have anything to do with

10:32:10 5 obtaining the documents in the source log.

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6 Q. I take it you did that very recently, is that  
7 right, the report that you referred to?

8 A. Correct.

9 MR. STYANT-BROWNE: Paul, I think I only have  
10:32:36 10 one copy or two copies of the resource log. Do you  
11 have a copy?

12 MR. FLUM: I have a copy, yes.

13 MR. STYANT-BROWNE: Okay.

14 MR. FLUM: Are you going to mark that?

10:32:42 15 MR. STYANT-BROWNE: No, I just want to make  
16 sure you had a copy.

17 MR. FLUM: Okay.

18 MR. STYANT-BROWNE: Can you mark that 2,  
19 please, Bridget.

20 (Deposition Exhibit 2 marked  
21 for identification.)

22 MR. STYANT-BROWNE: Thanks.

23 Have a look at Exhibit 2, please, Ms. Glasco.

24 Q. Have you seen that before?

10:33:14 25 A. Yes.

12

1 Q. Did you have any involvement in the  
2 compilation of that source log?

3 A. No, I did not.

4 Q. Who did?

10:33:23 5 A. It is my understanding that it was the  
6 lawyers, but I don't -- again, I didn't have anything  
7 to do with it.

8 Q. Okay. You understand that one of the areas

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9 that you will be questioned about today is how the  
10:33:50 10 production of the various custodians who are referred  
11 to in McKesson's source log is -- of their records is  
12 organized?

13 A. Mm-hm.

14 Q. Okay. Let's start with Bob James. First of  
10:34:09 15 all, who is Bob James?

16 A. Bob James is the vice president of Brand Rx.

17 Q. And first of all, what knowledge do you have  
18 of how Mr. James' e-mails are organized?

19 MR. FLUM: Objection. Outside the scope.

10:34:37 20 THE WITNESS: I do not have any knowledge on  
21 how his e-mails are organized.

22 MR. STYANT-BROWNE: Q. Do you have any  
23 knowledge at all of how any of Mr. James' documents  
24 are organized?

10:34:46 25 A. No, I do not.

13

1 Q. Do you have any knowledge at all in respect  
2 of any of the sources which are named in Exhibit 2,  
3 McKesson's source log, as to how their records are  
4 organized?

10:35:01 5 MR. FLUM: Objection. The question is vague.

6 You can answer.

7 THE WITNESS: I'm sorry, can you repeat the  
8 question?

9 MR. STYANT-BROWNE: Q. Do you have any

10 knowledge at all as to how the various sources who are  
11 listed in McKesson's source log, which is Exhibit 2,  
12 records are organized?

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13 MR. FLUM: Same objections.

14 You can answer.

10:35:19 15 THE WITNESS: I know that they are organized  
16 by -- in the way that they were kept by the employee  
17 in the files that they looked at.

18 MR. STYANT-BROWNE: Q. Well, let me break  
19 that down.

10:35:31 20 First of all, how do you know that?

21 A. That was how I -- what I was told by the  
22 lawyers.

23 Q. Okay. Beyond what you were told by the  
24 lawyers, do you have any other independent knowledge

10:35:47 25 of how their records were organized?

14

1 A. No, I do not.

2 Q. Okay. And aside from being told that their  
3 records were organized as they were kept -- I'm sorry,  
4 strike that.

10:36:03 5 Is your understanding that their records were  
6 produced in the way they were organized, is that your  
7 understanding?

8 A. In the way they were organized by the  
9 employee.

10:36:13 10 Q. Yes.

11 A. Custodian.

12 Q. Okay. Beyond that fact, do you have any  
13 knowledge at all as to how any of these sources in  
14 fact organized their records?

10:36:23 15 MR. FLUM: Beyond the scope.

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16 You can answer.

17 THE WITNESS: No, I do not.

18 MR. STYANT-BROWNE: Q. So I want to go

19 through Exhibit 2 now, the source log. And I

10:36:48 20 understand that you said that you've got a record that

21 you generated recently; is that correct?

22 A. Correct.

23 Q. May I have a copy of that, please?

24 MR. FLUM: The record that the witness is

10:37:02 25 referring to was a document that was prepared by

15

1 counsel at counsel's direction. The information that  
2 Ms. Glasco provided to us is incorporated along with  
3 other information in a document that she has in front  
4 of you, and I will be happy to provide with you a copy  
10:37:23 5 of that.

6 MR. STYANT-BROWNE: Okay. I think I should  
7 mark it.

8 MR. FLUM: That's fine.

9 MR. STYANT-BROWNE: Can I mark that one?

10 MR. FLUM: Of course.

11 MR. STYANT-BROWNE: Could you mark it, 3  
12 please, Bridget.

13 (Deposition Exhibit 3 marked  
14 for identification.)

10:37:44 15 MR. STYANT-BROWNE: Q. Could you tell us  
16 what this document is, please, Ms. Glasco?

17 A. It has the custodians name and current title  
18 and department, as well as their hire date. It also  
19 has their -- any former titles or departments that we

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10: 38: 01 20 were able to get last known addresses if the employee  
21 was not current, is not a current employee. It has  
22 the production Bates ranges, as well as where the --  
23 we -- where the documents were located, that the legal  
24 team got.

10: 38: 22 25 Q. Okay. Did you --

16

1 MR. FLUM: Did you finish your answer?

2 THE WITNESS: Yes.

3 MR. STYANT-BROWNE: Q. Did you generate this  
4 report?

10: 38: 28 5 A. No, I generated the current title/department  
6 and hire date, and that was it.

7 Q. Who else was involved, to your knowledge, in  
8 the generation of the report?

9 A. The lawyers.

10: 38: 37 10 Q. Okay. And do you know when it was produced?

11 A. The exact date, no.

12 Q. Okay. When did you first see it?

13 A. Yesterday.

14 Q. And when did you provide the information that

10: 38: 47 15 you did about the hire dates and employment history of  
16 the various sources?

17 A. Last week.

18 Q. And have you cross-referenced this document  
19 with Exhibit 2?

20 A. Two. Myself, no, I have not.

21 Q. But it's your understanding, is it, that this  
22 lists each of the sources as custodians, which are set

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23 out in Exhibit 2?

24 A. Yes. Again, though, I could only provide  
10:39:21 25 documentation for pharmaceutical employees, if there's

17

1 anyone on here that was not a pharmaceutical employee,  
2 I don't have access to those employees.

3 Q. Okay. Are there custodians on this document  
4 who are not pharmaceutical employees?

10:39:35 5 A. That I do not know. Yes, there are.

6 Q. Do you have any knowledge as to who provided  
7 the information in respect of those persons?

8 A. No, I do not. The bulk of them are  
9 pharmaceutical employees, though.

10:40:21 10 Q. So let's go through the pharmaceutical  
11 employees, Ms. Glasco.

12 A. Sure.

13 Q. First of all, who was the first  
14 pharmaceutical employee on Exhibit 3?

10:40:31 15 A. Adolfo Alfaro, which is -- he goes by Robert.

16 Q. Okay. And what department is he with?

17 A. He's in the pricing profitability department.

18 Q. And do you have any knowledge of what the  
19 functions of that department are?

10:40:48 20 MR. FLUM: Objection. Outside the scope.

21 THE WITNESS: No.

22 MR. FLUM: You can answer.

23 THE WITNESS: No, I don't know.

24 MR. STYANT-BROWNE: Okay.

10:40:53 25 Q. Do you know Mr. Alfaro personally?

18

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1 A. No, I do not.

2 Q. And whereabouts is Mr. Al faro located?

3 MR. FLUM: Outside the scope.

4 You can answer.

10: 41: 08 5 THE WITNESS: I don't know. I believe he is  
6 at One Post, but I do not know for sure.

7 MR. STYANT-BROWNE: Okay.

8 Q. Go to the next Pharma employee, please.

9 A. Dolores Amerine, I believe. She's a customer  
10 service rep with the customer relations department.

11 Q. What page is she on, sorry? Oh, I see.

12 A. Is that what you -- okay.

13 Q. Okay. And do you know where she is located?

14 MR. FLUM: Outside the scope.

10: 41: 46 15 You can answer.

16 THE WITNESS: I don't know for sure. The  
17 customer care -- most of these employees are in \*  
18 Carol ton, Texas, but I do not for sure if that's where  
19 she's located.

10: 41: 57 20 MR. STYANT-BROWNE: Q. And I take it you  
21 have no knowledge of the functions of the customer  
22 care department?

23 MR. FLUM: Same objection.

24 THE WITNESS: No.

10: 42: 06 25 MR. STYANT-BROWNE: Okay.

1 Q. Who's next?

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2 A. Michael Bishop, account manager, customer

3 care.

4 Q. Okay. And do you know where he's located?

10: 42: 14 5 A. I don't know for sure. Customer care is  
6 generally located in Texas, but I don't know if that's  
7 where he's located.

8 Q. And you don't know Mr. Bishop personally?

9 A. No, I do not.

10: 42: 28 10 Q. Then go on to Mr. Bissler.

11 A. Ed Bissler is the vice president of national  
12 accounts. National accounts is the department as  
13 well. I do not know Ed, and I don't know where he is  
14 located.

10: 42: 43 15 Q. Do you know what the functions of national  
16 accounts department are?

17 MR. FLUM: Outside the scope.

18 THE WITNESS: They sign -- I know for the  
19 sales department they sign the bigger accounts, the

10: 42: 54 20 national chains. That's about as much as I know.

21 MR. STYANT-BROWNE: Okay.

22 Q. And then do you see that in the last column  
23 on the first page of Exhibit 2 there's a heading  
24 "Document Location"?

10: 43: 13 25 A. Uh-huh.

20

1 Q. And do you see for the various custodians who  
2 you've named, it states that the document location was  
3 in their respective hard drives?

4 A. Correct.

10: 43: 25 5 Q. And that's your understanding that that's  
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6 correct, is it?

7 A. That is my understanding. Again, I didn't do  
8 the searches, but that's my understanding.

9 Q. Okay. Aside from the hard drives, do you  
10:43:37 10 have any knowledge of any searches that were done of  
11 other documents in respect to those custodians?

12 MR. FLUM: Objection. Outside the scope.

13 You can answer the question.

14 THE WITNESS: I don't know if other searches  
10:43:52 15 were done for these people in particular, no.

16 MR. STYANT-BROWNE: Okay.

17 Q. Let me skip to Page 4 for a moment.

18 And do you see at the bottom of Page 4 the  
19 custodian name Jeff Herzfeld?

10:44:25 20 A. I do.

21 Q. Okay. And do you see that for document  
22 location, there's a reference both to the Herzfeld  
23 hard drive and Herzfeld hard copy documents, do you  
24 see that?

10:44:40 25 A. Uh-huh. Yes, I do.

21

1 Q. Do you have any knowledge of the search that  
2 was undertaken to produce Mr. Herzfeld's hard copy  
3 documents?

4 A. I'm sorry, can you repeat the question?

10:44:51 5 Q. Do you have any knowledge of the search that  
6 was undertaken to produce Mr. Herzfeld's hard copy  
7 documents?

8 A. No, I do not.

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9 Q. Do you have any knowledge of any of the  
10: 45: 03 10 custodians where a document location, other than their  
11 hard drive, is listed how a search was conducted for  
12 those documents?

13 MR. FLUM: Objection. It's vague and  
14 compound.

10: 45: 17 15 If you understand it, you can answer.

16 THE WITNESS: No, can you repeat it or  
17 rephrase it?

18 MR. STYANT-BROWNE: Q. There are various  
19 custodians here, are they not, aside from  
10: 45: 27 20 Mr. Herzfeld, Ms. Glasco, where in addition to their  
21 respective hard drives, other document location are  
22 listed. Do you see that?

23 A. Right. Mm-hm.

24 Q. Do you have any knowledge of what searches  
10: 45: 40 25 were conducted in respect to those other document

22

1 locations to obtain those documents?

2 A. Okay, I -- my understanding is that they were  
3 searched -- that when they were getting the  
4 documentation that they searched hard drives, hard  
10: 45: 55 5 copies of documents that employees had themselves, as  
6 well as shared -- off the shared servers, if there's  
7 anything in the shared server drives. Those were the  
8 three areas that were looked at. I don't have  
9 knowledge as to if each individual had -- what was  
10: 46: 13 10 looked at, that was my understanding that all of those  
11 places were searched.

12 Q. Okay. And how did you gain that  
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13 understanding?

14 A. I was told that by the legal team.

10: 46: 15 MR. FLUM: Excuse me. Can you hand me a  
16 bottle of water, please, right behind you?

17 MR. STYANT-BROWNE: Sure.

18 Q. And is it the case, Ms. Glasco, that aside  
19 from what you were told by your legal team, you have  
10: 46: 20 no independent knowledge of any of the searches that  
21 were conducted in respect of any of these documents  
22 which are -- the locations of which is set out in  
23 Exhibit 3?

24 A. No.

10: 47: 07 25 Q. So could we go to Page 2, please.

23

1 A. Sure.

2 Q. And is Mr. Bonner the next Pharma employee?

3 A. Yes.

4 Q. And do you know Mr. Bonner personally?

10: 47: 22 5 A. I have met him before, but I don't know him  
6 very well at all.

7 Q. Okay. And it's your understanding he's  
8 located at One Post Street?

9 A. Yes.

10: 47: 31 10 Q. And then next is Ronald Castaldo; is that  
11 correct?

12 A. Correct.

13 Q. And do you know Mr. Castaldo?

14 A. Yes, I know him, but not very well.

10: 47: 41 15 Q. Okay. And it's your understanding he also

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16 works at one Post Street?

17 A. Yes.

18 Q. What department is he with?

19 A. He is with product management, purchasing

10:47:51 20 department.

21 Q. Okay. And do you have any knowledge of the  
22 functions of that department?

23 A. No.

24 MR. FLUM: Objection. Outside the scope.

10:47:56 25 THE WITNESS: No, I do not.

24

1 MR. STYANT-BROWNE: Okay.

2 Q. And then next is Pia Castillo?

3 A. Mm-hm.

4 Q. And is it your understanding that

10:48:04 5 Mr. Castillo works at One Post Street?

6 A. Yes.

7 Q. And she is a data management analyst --

8 A. Yes.

9 Q. -- is that correct?

10:48:10 10 A. Mm-hm.

11 Q. What department is Ms. Castillo with?

12 A. Procurement systems.

13 Q. Is that part of business information systems

14 or is it different?

10:48:20 15 A. Business information systems, no, it's part  
16 of the procurement department.

17 Q. Okay. What are the functions of the  
18 procurement department?

19 MR. FLUM: Objection. Outside the scope.

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10: 48: 38 20                   THE WITNESS: I woul dn't know enough to tell  
 21 you intelligently so, no, I don't know.  
 22                   MR. STYANT-BROWNE: Pardon me a moment,  
 23 please, Ms. Glasco.  
 24                   Q. Yes, go on, please, to Rex Catton. Is he  
 10: 49: 04 25 also an employee of McKesson Pharma?

25

1                   A. Yes, he is. He works in the national  
 2 accounts group.  
 3                   Q. Okay. And do you know Mr. Catton?  
 4                   A. No, I do not.  
 10: 49: 15 5                   Q. Do you know whether or not he works at Post  
 6 Street?  
 7                   A. He does not.  
 8                   Q. Do you know where he works?  
 9                   A. No, I do not.  
 10: 49: 24 10                   Q. Okay. Then next is Eric Cullenward?  
 11                   A. Mm-hm. He's the director of procurement  
 12 systems.  
 13                   Q. Do you know Mr. Cullenward?  
 14                   A. Yes, I do.  
 10: 49: 31 15                   Q. Okay. And he works at One Post Street, does  
 16 he not?  
 17                   A. Yes, he does.  
 18                   Q. Okay. And how do you know Mr. Cullenward?  
 19                   A. Just from questions he's had, HR questions,  
 10: 49: 45 20 et cetera. I don't know him very well at all.  
 21                   Q. Then would you go on to Priscilla Dela Cruz,  
 22 please.

23 A. Uh-huh. She's also located at One Post.

24 She's a data integrity associate in the procurement  
10: 50: 01 25 systems department.

26

1 Q. Okay. And then next, the next Pharma  
2 employee?

3 A. Is Anthony Dolan. He's in the national  
4 account group. He's a VP of national accounts. He's  
10: 50: 12 5 not at One Post, and I don't know where he is out of.

6 Q. Okay. Then Mr. Eckel?

7 A. Mike Eckel is currently the VP of business  
8 development at access health operations, it's located  
9 in Gahana \* Ohio, just outside of Columbus.

10: 50: 32 10 Q. And you know Mike?

11 A. Just through telephone conversations only.

12 Q. And that's in relation to HR issues, is it?

13 A. Correct.

14 Q. So we can move it along, are there any of  
10: 50: 44 15 these individuals who you know and have an association  
16 with other than via HR issues? If that's --

17 A. No.

18 Q. -- too broad a question, then I can go  
19 through it with each one. But if you feel you can  
10: 51: 02 20 answer it, then please do.

21 A. No. Everyone that I'm looking at, if I know  
22 them at all it's just professionally through HR kind  
23 of things.

24 Q. Okay. Then June Fallon. Back to Page 3.

10: 51: 19 25 A. I'm sorry. She's the vice president of

27

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1 customer program development in the franchise  
2 management group, it's part of our marketing group.

3 Q. And is she located at Post Street?

4 A. I don't -- I'm not sure.

10:51:35 5 Q. Okay.

6 A. I think she's in One Post a lot, but I don't  
7 know if she sits there all the time.

8 Q. And, I'm sorry, how did you describe her  
9 department?

10:51:44 10 A. It's part of our Pharma marketing group. She  
11 was just promoted to that job this year.

12 Q. Do you have any knowledge of the functions of  
13 program development or franchise management within the  
14 Pharma marketing group?

10:51:59 15 A. No.

16 MR. FLUM: Objection. Outside the scope.

17 THE WITNESS: No, I do not.

18 MR. STYANT-BROWNE: Q. Then next is John  
19 Figueroa. Did I pronounce that correctly?

10:52:08 20 A. You did. He's the president of U.S. Pharma  
21 for -- yeah.

22 Q. And he's located in -- at Post Street?

23 A. Yes, he is.

24 Q. And next is Jack is it Fragie?

10:52:21 25 A. Fragie, yes. He's the executive vice

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2 national accounts group.

3 Q. And where is he located?

4 A. And he's at One Post as well.

10:52:32 5 Q. And going on to Page 4, Leslie Friedman.

6 A. She's a process manager, and the process  
7 management group at -- she sits at One Post as well.

8 Q. Do you have any knowledge of the functions of  
9 the process management group?

10:52:47 10 MR. FLUM: Objection. Outside the scope.

11 THE WITNESS: The functions?

12 MR. STYANT-BROWNE: Q. Yeah, the functions  
13 of that department or group.

14 A. I know a little bit about it, I don't know if  
10:52:55 15 it would be enough to --

16 Q. What's the little bit that you know?

17 A. In the process management group for IT, there  
18 is -- they kind of handle -- they're kind of like the  
19 project managers of whenever there's a project for --

10:53:13 20 an IT program, the project managers of the next  
21 project, so they kind of move things along.

22 Q. Okay. Rose Gabaeff?

23 A. I don't know.

24 Q. Okay.

10:53:27 25 A. She's not a Pharma employee, so --

29

1 Q. Okay. All right. Ryan Gamlin?

2 A. Mm-hm. He's no longer with McKesson as of  
3 October of '06. He was a financial analyst in our  
4 pricing profitability department.

10:53:43 5 Q. Okay. And was he located at Post Street?

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6 A. At One Post, yes, he was.

7 Q. And Stacy Harber?

8 A. Contract administration manager for product

9 and services at access health again located in \*

10:54:00 10 /TKPWA had a in a Ohio.

11 Q. Sheri Harbour?

12 A. Senior account manager customer, care

13 customer relations. I believe she sits in Texas.

14 Q. Okay.

10:54:08 15 A. Westlake.

16 Q. Then skip Mr. Herzfeld, please.

17 Robert James or Bob James?

18 A. Bob James is the VP of Brand Rx in the  
19 investment purchasing department, he sits at One Post.

10:54:32 20 Q. Okay. Dan Jeffries?

21 A. He's senior account manager at customer care,  
22 customer relations, and I don't know where he sits, I  
23 would assume Texas because it's customer care, but I  
24 don't know.

10:54:42 25 Q. Okay. Robert Jones?

30

1 A. He goes by Tyler, so it's Tyler Robert T.

2 Jones. He's the director e-commerce product  
3 management. The marketing e-commerce department. He  
4 is in Texas.

10:55:06 5 Q. Okay. Sean Kelley?

6 A. He's an analyst for data provisions, and they  
7 shortened it so I'm not sure, data provisions and  
8 analysis, the marketing analytics and reporting group.

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9 And he sits at One Post.

10: 55: 18 10 Q. Okay. And I take it you don't have any

11 knowledge of the functions of that group?

12 A. No, I don't.

13 Q. And then the legal department, what's your

14 understanding of what the legal department is?

10: 55: 30 15 MR. FLUM: Objection. Vague.

16 THE WITNESS: What's my -- I'm not sure

17 what -- can you rephrase the question or -- I'm not

18 sure what it is that you want to know.

19 MR. STYANT-BROWNE: Q. Is there a legal

10: 55: 43 20 department at McKesson?

21 A. Yes, there is.

22 Q. And who is in the legal department?

23 A. There's many people. I -- Kimbir is part of

24 the legal department. There's many people in the

10: 55: 53 25 legal department. Um --

31

1 Q. It's part of your client -- sorry, sorry, I  
2 interrupted you.

3 A. It's okay. Different areas of legal, we have  
4 employment lawyers that I deal with for human

10: 56: 04 5 resources quite a bit, and there's different areas,  
6 but I don't know what the other areas are really.

7 Q. Is the legal department part of your client  
8 group as --

9 A. No, they're part of corporate. Sorry, I

10: 56: 14 10 didn't mean to interrupt you.

11 Q. No, no.

12 Okay. And do you know how many persons are  
Page 28

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13 in the legal department at McKesson?

14 A. No, I do not.

10:56:31 15 Q. Is the legal department primarily based at  
16 Post Street?

17 A. I do not know.

18 Q. Okay.

19 A. I think so.

10:56:39 20 Q. Do you know if there are any members of the  
21 legal department who are based at Post Street?

22 A. Yes.

23 Q. Okay. And obviously Kimbir is one of them;  
24 is that right?

10:56:48 25 A. Yes.

32

1 Q. How many other do you know who are based at  
2 Post Street?

3 A. I know that they're quite a few, I just don't  
4 know the names of people. I know my -- the employment  
10:56:59 5 lawyers names, and that's about it.

6 Q. Okay. Telsca Lindsay?

7 A. Client services rep and customer care,  
8 customer relations group. I don't know where she  
9 sits. Again, I would assume Texas, but I don't know.

10:57:13 10 Q. Okay. And Mohammed Mahbouba?

11 A. Yeah, I couldn't say that. He's the director  
12 of analytic services in the marketing analytic  
13 services department, he sits at One Post.

14 Q. Okay. Maribel Mallari?

10:57:27 15 A. Public affairs coordinator, public affairs,

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16 she sits at One Post.

17 Q. Okay. Karen Martindale?

18 A. Account manager for national accounts, I

19 don't know -- I'm not familiar with her, so I don't

10:57:39 20 know where she sits.

21 Q. Okay.

22 A. Where she is. I doubt it's One Post, but I

23 don't know.

24 Q. And then going on to Page 7, Galina

10:57:50 25 Mayorchuk; is that correct?

33

1 A. Mm-hm. Data management analyst for  
2 procurement systems. I don't -- I think she sits  
3 in -- at One Post, but I don't know for sure.

4 Q. Okay. Brian McAndrews?

10:58:08 5 A. Director of public affairs in the public  
6 affairs department.

7 Q. And whereabouts is Mr. McAndrews based?

8 A. I don't know. I believe at One Post, but I  
9 don't know for sure. He's not part of the Pharma

10:58:20 10 group.

11 Q. And I take it you have no knowledge about the  
12 functions of the public affairs group?

13 MR. FLUM: Objection. Outside the scope.

14 THE WITNESS: Not enough to -- no, I don't.

10:58:30 15 MR. STYANT-BROWNE: Okay.

16 Q. Edward McKenna, Jr.?

17 A. VP strategic solutions, national accounts.

18 He does not sit at One Post, but I don't know where he

19 is. It's on the East Coast, I believe, but I don't

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10: 58: 43 20 know where.

21 Q. Okay. Leonard Moore?

22 A. Account coordinator for customer care,  
23 customer relations, not at One Post.

24 Q. Okay. Do you know where he is?

10: 58: 54 25 A. Again, customer care is mostly in Texas,

34

1 so I would assume, but I do not know.

2 Q. Li dia Myung?

3 A. She's manager for business analysis and  
4 marketing analytic. She sits at One Post.

10: 59: 10 5 Q. Okay. And Becca Norris?

6 A. Director of strategic solutions for public  
7 affairs, I don't know -- I don't know if she's at One  
8 Post or not.

9 Q. Okay. Go on to Page 8, please.

10: 59: 25 10 A. Okay.

11 Q. And Wai Pang?

12 A. Data integrity associate for procurement  
13 systems at One Post.

14 Q. Okay. Brett Parsons?

10: 59: 37 15 A. Director of business intelligent marketing  
16 analytic services, and he sits at One Post.

17 Q. And Laura Perez?

18 A. Data management analyst at procurement  
19 systems, and she sits at One Post.

10: 59: 50 20 Q. Boyd Phillips?

21 A. Senior director process and data management  
22 for customer and financial service ops. I don't

5-8-07 MICHELLE GLASCO.txt  
23 believe he's at One Post. I believe he's in Texas,  
24 but I don't know for sure.

11:00:04 25 Q. Okay. Go to Page 9, please.

35

1 Q. Darlene Ray?

2 A. Director of customer relations for customer  
3 care. She's in Texas.

4 Q. Anthony Rosa?

11:00:17 5 A. He's a senior manager for MHS Pricing in the  
6 pricing/profitability group, and he sits at One Post.

7 Q. Okay. What does MHS stand for?

8 A. McKesson Health Solutions.

9 Q. Kimbir Tate?

11:00:31 10 A. She's manager of litigation support services,  
11 in the legal department. And she sits at One Post.

12 Q. Okay. Ricky Terrell?

13 A. Senior account manager for customer  
14 relations, customer care in Texas.

11:00:47 15 Q. Erlinda Thomas?

16 A. Manager business information services for  
17 procurement systems, and she sits at One Post.

18 Q. Okay. Sam Thompson?

19 A. VP strategic solutions national account, he's

11:00:57 20 not at One Post, so I don't know where he is.

21 Q. Okay. Why don't you go to the last page,  
22 Page 10, please.

23 And Martha Torres-Morgan?

24 A. Director, Brand Rx product manager for

11:01:10 25 investment purchasing Rx merchandise, and she sits at

36

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1 One Post.

2 Q. Okay. And Lilibeth Valiao?

3 A. Lead clerk for procurement systems, and she's  
4 at One Post.

11:01:20 5 Q. And Greg Yonko?

6 A. Senior vice president, purchasing and Pharma  
7 finance, and he sits at One Post.

8 Q. Okay. Do you know whether or not any  
9 searches were conducted to obtain any documents held

11:01:35 10 by Mr. Hammergren?

11 A. No, I do not.

12 Q. And I take it from your answers, Ms. Glasco,  
13 that you have not seen or in any way been involved in  
14 the production of any of these documents that are

11:02:23 15 referred to in Exhibit 3; is that correct?

16 A. That's correct.

17 MR. STYANT-BROWNE: Okay. That's all I have.

18 MR. FLUM: All right. Let's take a very  
19 short break, I may have one or two questions.

11:02:35 20 THE WITNESS: Okay.

21 THE VIDEOGRAPHER: Going off the record,  
22 the time on the monitor is 11:02.

23 (Recess taken from 11:02 a.m. to 11:11 a.m.)

24 THE VIDEOGRAPHER: Coming back on the record,

11:11:07 25 the time is 11:11 a.m.

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3 EXAMINATION BY MR. FLUM

4 MR. FLUM: I have just a few questions for  
11:11:16 5 you.

6 Q. Do you recall Mr. Styant-Browne's questions  
7 about how the documents that were produced by McKesson  
8 in this case were organized?

9 A. Yes.

11:11:32 10 Q. And do you generally recall your testimony  
11 that the documents were organized as they were kept in  
12 the files of the employees?

13 A. Yes.

14 Q. Are there any exceptions to that?

11:11:44 15 A. Yes, there are.

16 Q. What are the exceptions?

17 A. There's two exceptions. One was for  
18 organizational charts, and the other was for documents  
19 produced in other litigations.

11:11:58 20 Q. So let's start with the organizational  
21 charts.

22 A. Mm-hm.

23 Q. How were organizational charts that were  
24 produced by McKesson in this case organized in the  
11:12:08 25 production?

38

1 A. They were grouped together, there was a  
2 request by the plaintiff's attorney for the  
3 organizational charts, so they were all grouped  
4 together.

11:12:20 5 Q. And you also mentioned documents produced in  
Page 34

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6 other lawsuits?

7 A. Correct.

8 Q. And how were those organized?

9 A. Those were also grouped together, because

11:12:31 10 there was a request from the plaintiff's attorneys for  
11 the documents produced in other litigation, so they  
12 were all grouped together.

13 Q. And does Exhibit 3 indicate the documents  
14 that were produced in response to the request for

11:12:58 15 organizational charts and documents produced in other  
16 litigations?

17 A. Yes.

18 Q. And how is that indicated?

19 A. By either an asterisk for the organizational  
11:13:08 20 charts and a dagger for the documents produced in  
21 other litigations.

22 Q. And which entry on Exhibit 3 refers to the --  
23 or relates to the documents that were produced in  
24 other litigations?

11:13:23 25 A. The legal department entry for the custodian

39

1 name, I believe, on Page 6.

2 MR. FLUM: I have nothing further.

3 ---00---

4 FURTHER EXAMINATION BY MR. STYANT-BROWNE

11:13:35 5 MR. STYANT-BROWNE: Q. Ms. Glasco, in the  
6 answers that you just gave to all of Mr. Flum's  
7 questions, is it the case that the source of your  
8 knowledge in giving all of those answers were what you

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9 were told by the attorneys?

11:13:46 10 A. Yes.

11 Q. And as far as you know, you have no  
12 independent knowledge of any of those matters that you  
13 just talked about?

14 A. No, I do not.

11:14:04 15 MR. STYANT-BROWNE: Thank you. That's it.

16 THE VIDEOGRAPHER: Here marks the end of  
17 Videotape Number 1 in the deposition of Michelle  
18 Glasco.

19 Going off the record, the time is 11:13 a.m.

20 (Whereupon the deposition proceedings  
21 were concluded at 11:13 a.m.)

22 ---oo---

23

24

25

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1 CERTIFICATION OF DEPOSITION OFFICER

2

3 I, Bridget M. Mattos, duly authorized  
4 to administer oaths pursuant to Section 2093 (b) of  
5 the California Code of Civil Procedure, hereby certify  
6 that the witness in the foregoing deposition was by me  
7 sworn to testify to the truth, the whole truth and  
8 nothing but the truth in the within-entitled cause;  
9 that said deposition was taken at the time and place  
10 herein stated; that the testimony of said witness was  
11 thereafter transcribed by means of computer-aided  
12 transcription; that the foregoing is a full, complete

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13 and true record of said testimony; and that the  
14 witness was given an opportunity to read and correct  
15 said deposition and to subscribe the same.

16 I further certify that I am not of  
17 counsel or attorney for either or any of the parties  
18 in the foregoing deposition and caption named, or in  
19 any way interested in the outcome of this cause named  
20 in said caption.

21

22

---

23 BRIDGET M. MATTOS, CSR NO. 11410

24

25

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1 A C K N O W L E D G E M E N T O F D E P O N E N T

2

3 I, MICHELLE GLASCO, do hereby acknowledge I have read  
4 and examined the foregoing pages of testimony, and the  
5 same is a true, correct and complete transcription of  
6 the testimony given by me, and any changes or  
7 corrections, if any, appear in the attached errata  
8 sheet signed by me.

9

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24

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25 Date MICHELLE GLASCO

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1 Golden Gate Reporting  
2 35 Mitchell Boulevard, Suite 8  
2 San Rafael, California 94903  
3 (415) 491-4611

4 ERRATA SHEET

5 Case Name: New England Carpenters vs. First Data Bank  
5 Deponent: MICHELLE GLASCO  
6 Deposition date: May 8, 2007  
7 Page No. Line No. Change

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25 MICHELLE GLASCO

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Date

43



BARBARA A. MAHONEY  
BARBARAM@HBSSLAW.COM

HAGENS BERMAN  
SOBOL SHAPIRO LLP

May 10, 2007

Ms. Tiffany Cheung  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, CA 94105-2482

Re: New England Carpenters

Dear Tiffany:

In its April 9 memorandum opinion the Court ordered you to provide a witness knowledgeable about the subject matters designated in our Amended Notice of Deposition of McKesson's 30(b)(6) Witness. Your designee, Michelle Glasco, proved to be wholly unprepared to testify on virtually any of the topics we requested. Ms. Glasco's knowledge appears to be limited to the current title and departmental affiliation of some of the persons identified on your source log as custodians of record and does not reach any of the other topics. Nor does the chart you offered at Ms. Glasco's deposition comply with either the Court's express order or your obligations under Rule 30(b)(6), given that Ms. Glasco was unable to confirm any aspect of your chart other than the title and department of some of the custodians.

We ask that you provide an additional witness or witnesses in the next ten days who are competent to testify on all remaining matters requested by Plaintiffs. Further, in view of the waste of time and expense incurred in connection with Ms. Glasco's deposition, we ask that you pay Nick Styant-Browne's time and travel expenses and make your witness(es) available to us in Seattle.

Please let us know whether you agree or whether we need to seek the Court's intervention on this matter.

## Exhibit 4

Ms. Tiffany Cheung  
May 10, 2007  
Page 2

Sincerely,

HAGENS BERMAN SOBOL SHAPIRO LLP

*[sent via electronic mail]*

Barbara A. Mahoney  
Attorney

BAM:BM

**Exhibit 4**